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11 Tesla, Inc. and Elon Musk

12 UNITED STATES DISTRICT COURT
13
14 NORTHERN DISTRICT OF CALIFORNIA
15
16 SAN FRANCISCO DIVISION

FENWICK & WEST LLP
ATTORNEYS AT LAW
SAN FRANCISCO

17 IN RE TESLA, INC. SECURITIES
18 LITIGATION

Case No.: 3:18-cv-04865-EMC

**STIPULATION AND ~~PROPOSED~~
ORDER EXTENDING BRIEFING
SCHEDULE ON LEAD PLAINTIFF'S
MOTION FOR LEAVE TO SERVE
NON-PARTY DOCUMENT
PRESERVATION SUBPOENAS; AND
CONTINUING HEARING TO
JANUARY 24, 2019 AT 1:30 P.M. AS
MODIFIED
(Civil L.R. 6-1(b) and 16-2)**

Judge: The Honorable Edward M. Chen

Date Action Filed: August 10, 2018

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28 STIP. AND ~~PROPOSED~~ ORDER
EXTENDING BRIEFING AND HEARING
SCHEDULE ON LEAD PLTFs.' MOT.
FOR LEAVE TO SERVE PRESERVATION
SUBPOENAS

WHEREAS, on November 27, 2018, the Court issued an Order (Dkt. No. 152) (1) granting Plaintiffs' motions to consolidate this case and eight additional proposed class actions, each alleging violations of the federal securities laws against defendants Tesla, Inc. and Elon Musk (collectively, "Defendants"); and (2) Granting Plaintiff Glen Littleton's ("Lead Plaintiff") motion for appointment as Lead Plaintiff and approving Littleton's selection of Levi & Korsinsky, LLP as Lead Counsel;

WHEREAS, pursuant to the Reform Act, all discovery and other proceedings shall be stayed during the pendency of any motion to dismiss, unless the court finds upon the motion of any party that particularized discovery is necessary to preserve evidence or to prevent undue prejudice to that party (15 U.S.C. § 78u-4(b)(3)(B));

WHEREAS, on December 12, 2018, Lead Plaintiff filed a Motion for Leave to Serve Non-Party Document Preservation Subpoenas (Dkt. No. 167) and noticed a hearing for January 17, 2019 at 1:30 p.m.;

WHEREAS, in light of the upcoming holidays, the parties have met and conferred and agreed on a revised briefing and hearing schedule in connection with Lead Plaintiffs' Motion for Leave to Serve Non-Party Document Preservation Subpoenas;

IT IS ACCORDINGLY STIPULATED, pursuant to Civil L.R. 7-12, by and between the undersigned counsel for Defendants and Lead Plaintiff, subject to the approval of the Court, that:

1. Defendants shall file an opposition to Lead Plaintiff's Motion for Leave to Serve Non-Party Document Preservation Subpoenas on or before ~~January 4, 2019~~; 1/3/19
2. Lead Plaintiff shall file any reply in support of his motion on or before January 11, 2019;
3. The hearing on Lead Plaintiff's Motion for Leave to Serve Non-Party Document Preservation Subpoenas shall be CONTINUED to January 24, 2019 at 1:30 P.M. or at such other time as the Court may deem appropriate.

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FENWICK & WEST LLP
ATTORNEYS AT LAW
SAN FRANCISCO

1 Dated: December 21, 2018

FENWICK & WEST LLP

2 By: /s/ Jennifer C. Bretan
Jennifer C. Bretan

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5 Telephone: (415) 875-2300
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Attorneys for Defendants Tesla, Inc. and Elon Musk

7 Dated: December 21, 2018

LEVI & KORSINSKY, LLP

8 By: /s/ Adam M. Apton
Adam M. Apton

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10 San Francisco, CA 94104
11 Telephone: (415) 291-2420

12 Attorneys Lead Plaintiff Glen Littleton

13 Pursuant to Local Rule No. 5-1(i)(3), all signatories concur in filing this stipulation.

14 Dated: December 21, 2018

By: /s/ Jennifer C. Bretan
Jennifer C. Bretan

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16
17 ~~PROPOSED~~ ORDER

18 PURSUANT TO STIPULATION, IT IS SO ORDERED.

19 Dated: December 21, 2018


20 Hon. Edward M. Chen
21 United States District Court Judge
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